

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

CARLOS O. CABALLERO DDS, MS, PS,
d/b/a Master Orthodontics, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

MASSACHUSETTS BAY INSURANCE
COMPANY,

Defendant.

No. 3:20-cv-05437-BJR

STIPULATED MOTION AND
ORDER STAYING DISCOVERY

The parties, through their counsel of record, having discussed the Motion of Defendant Massachusetts Bay Insurance Company to Stay Discovery [Dkt. # 22], and in light of the fact that the parties have already engaged in certain early discovery, including (i) their Fed. R. Civ. P. 26(a)(1) conference; (ii) their exchange of initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1); (iii) the filing of a combined joint status report and discovery plan as required by Fed. R. Civ. P. 26(f) and LCR 26(f); (iv) the filing of a stipulated protective order; and (v) the service of Plaintiff's First Discovery Requests to Defendant on August 31, 2020, the parties now stipulate and agree that discovery may be stayed pending the earlier of: (1) resolution of Defendant's Rule 12 Motions, Dkt. # 20, or (2) the deadline for filing any answer to Plaintiff's Complaint,

STIPULATED MOTION AND ORDER STAYING DISCOVERY

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KELLER ROHRBACK L.L.P.

1201 Third Avenue, Suite 3200
Seattle, WA 98101-3052
TELEPHONE: (206) 623-1900
FACSIMILE: (206) 623-3384

1 including any amendment thereto. Upon the lifting of the stay, the parties will promptly meet
2 and confer regarding a reasonable deadline by which Defendant will respond to Plaintiff's
3 August 31 discovery requests.

4
5 **ORDER**

6 IT IS HEREBY ORDERED:

7 In light of the parties' stipulation, the Defendant's Motion to Stay Discovery [Dkt. #22] is
8 denied as moot;

9 Discovery in this action is stayed pending the earlier of: (1) resolution of Defendant's
10 Rule 12 Motions, Dkt. # 20, or (2) the deadline for filing any answer to Plaintiff's Complaint,
11 including any amendment thereto; and

12 Upon the lifting of the stay, the parties are ordered to promptly meet and confer regarding
13 a reasonable deadline by which Defendant will respond to Plaintiff's August 31 discovery
14 requests.

15
16 DATED this 22nd day of September, 2020.

17 

18 _____
Barbara J. Rothstein
19 UNITED STATES DISTRICT JUDGE

20 Presented By:

21 DATED this 21st September, 2020.

22 **KELLER ROHRBACK L.L.P.**

23 By: s/ Amy Williams-Derry
24 By: s/ Lynn L. Sarko
25 By: s/ Gretchen Freeman Cappio
26 By: s/ Irene M. Hecht
By: s/ Ian S. Birk
By: s/ Maureen Falecki
By: s/ Nathan L. Nanfelt

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TELEPHONE: (206) 623-1900
FACSIMILE: (206) 623-3384

Amy Williams-Derry, WSBA #28711
Lynn L. Sarko, WSBA #16569
Gretchen Freeman Cappio, WSBA #29576
Irene M. Hecht, WSBA #11063
Ian S. Birk, WSBA #31431
Maureen Falecki, WSBA #18569
Nathan L. Nanfelt, WSBA #45273
1201 Third Avenue, Suite 3200
Seattle, WA 98101
Telephone: (206) 623-1900
Fax: (206) 623-3384
Email: awilliams-derry@kellerrohrback.com
Email: lsarko@kellerrohrback.com
Email: gcappio@kellerrohrback.com
Email: ihecht@kellerrohrback.com
Email: ibirk@kellerrohrback.com
Email: mfalecki@kellerrohrback.com
Email: nnanfelt@kellerrohrback.com

By: s/ Alison Chase
Alison Chase, *pro hac vice* forthcoming
801 Garden Street, Suite 301
Santa Barbara, CA 93101
Telephone: (805) 456-1496
Fax: (805) 456-1497
Email: achase@kellerrohrback.com

Attorneys for Plaintiff and the Proposed Classes

BULLIVANT HOUSER BAILEY PC

By: s/ John A. Bennett
By: s/ Owen R. Mooney
John A. Bennett, WSBA #33214
Owen R. Mooney, WSBA #45779
925 Fourth Ave., Ste. 3800
Seattle, WA 98104
Phone: (206) 292-8930
Email: john.bennett@bullivant.com
Email: owen.mooney@bullivant.com

BULLIVANT HOUSER BAILEY PC

By: s/ Stuart D. Jones
Stuart D. Jones
One SW Columbia Street, Suite 800
Portland, OR 97204
Phone: (503) 228-6351

Email: stuart.jones@bullivant.com

*Counsel for Defendant Massachusetts Bay
Insurance Company*